



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Adam LUC *et al.*

Appl. No: 09/934,455

Filed: August 22, 2001

For: GENES FOR MODIFYING PLANT
TRAITS IV

Art Unit: Unassigned

Examiner: Unassigned

POWER OF ATTORNEY BY ASSIGNEE
UNDER 37 C.F.R. § 3.71

Commissioner of Patents
Washington, D.C. 20231

Sir:

The undersigned ASSIGNEE having the entire right, title and interest in the above-identified application for letters patent hereby appoints, both jointly and severally, as its attorneys, with full power of substitution and revocation:

David J. Kulik, Registration No. 36,576; Floyd B. Chapman, Registration No. 40,555; Gregory R. Lyons, Registration No. 37,666; James H. Wallace, Jr., Registration No. 25,541; Scott Bain, Registration No. 46,357; James T. Bruce, III, Registration No. 31,491; Christopher Mills, Registration No. 46,934; Mark Pacella, 46,974; Christopher Hale, Registration No. 48,940; David Walker, Registration No. 43,976; and Kevin Anderson, Registration No. 43,471 of the firm

Wiley Rein & Fielding LLP, 1776 K Street NW, Washington, DC, 20006, associated with **Customer Number 29693**,

to prosecute this application, and any continuations, divisionals, reissues and reexaminations thereof or foreign or international applications corresponding thereto, and transact all business in the United States Patent and Trademark Office in connection therewith and hereby revokes all prior powers of attorney; said appointment to be the exclusion of the inventors and the inventors' attorneys.

Direct all telephone calls to David J. Kulik, Esq. at 202-719-7000.

Direct all correspondence to:

WILEY REIN & FIELDING LLP
Intellectual Property Department
1776 K Street NW
Washington, DC 20006

CERTIFICATION UNDER 37 C.F.R. § 3.73(b)

The following evidentiary documents establish a chain of title from the original owner(s) or inventor(s) to the ASSIGNEE as required under 37 C.F.R. § 3.73(b).

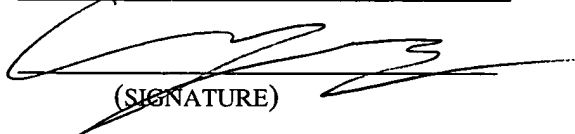
 X A copy of an Assignment is attached hereto, which Assignment has been (or is herewith) forwarded to the Patent and Trademark Office for recording.

 The Assignment has been recorded on at reel , frame(s) .

Pursuant to 37 C.F.R. § 3.73(b), the undersigned ASSIGNEE hereby states (1) that the person signing below is authorized to act on behalf of the ASSIGNEE and (2) that the evidentiary documents have been reviewed and hereby certifies that, to the best of ASSIGNEE's knowledge and belief, all title and interest are in the identified ASSIGNEE.

ASSIGNEE: MENDEL BIOTECHNOLOGY, INC.

By:


(SIGNATURE)

Name:

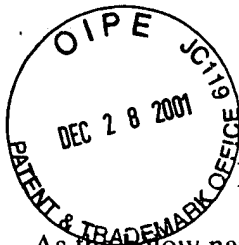
Guo-Liang Yu
(TYPED)

Title:

Senior Vice-President, Genomics

Date:

12/18/01



#4

DECLARATION FOR PATENT APPLICATION

As the below named inventor, I hereby declare that:

My residence, post office address and citizenship is as stated below next to my name;

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

GENES FOR MODIFYING PLANT TRAITS IV

the specification of which:

☐ is attached hereto.

☒ was filed on:

August 22, 2001

as Application No.:

09/934,455

and was amended on:

_____ (if applicable).

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

And I hereby authorize and request our agents, Wiley Rein & Fielding LLP, whose address is set forth below, to insert above, any application identifying information.

Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed	
				Yes <input type="checkbox"/>	No <input type="checkbox"/>
				Yes <input type="checkbox"/>	No <input type="checkbox"/>

Prior Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application Number	Date of Filing (day, month, year)
60/227,439	August 22, 2000

Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

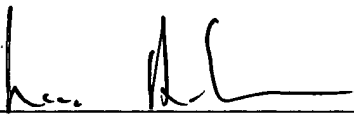
Application Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
09/713,994	November 16, 2000	Pending
09/837,944	April 18, 2001	Pending

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

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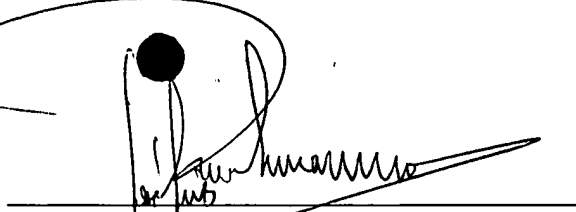
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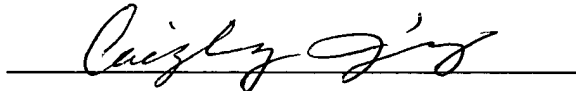
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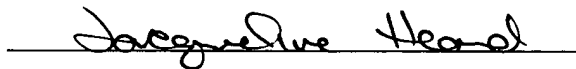
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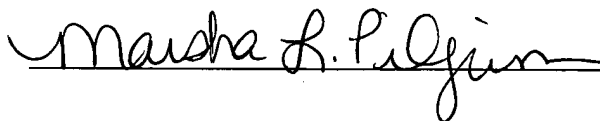
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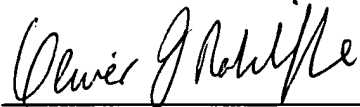
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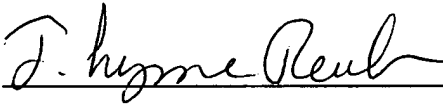
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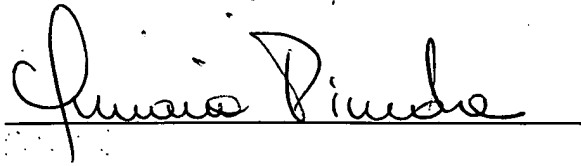
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